

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

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CITY OF PROVIDENCE and  
CITY OF CENTRAL FALLS,  
*Plaintiffs,*

v.

JEFFERSON B. SESSIONS III, in his  
official capacity as Attorney General of the  
United States, and the UNITED STATES  
DEPARTMENT OF JUSTICE,  
*Defendants.*

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C.A. No.: 1:18-cv-00437-JJM-LDA

**AMENDED STIPULATION AND  
PROPOSED ORDER**

**AMENDED STIPULATION AND PROPOSED ORDER EXTENDING DEFENDANTS’  
TIME TO RESPOND TO COMPLAINT AND ESTABLISHING BRIEFING SCHEDULE**

Plaintiffs, the City of Providence and the City of Central Falls (the “Plaintiff Municipalities”, and Defendants, the United States Department of Justice and Jefferson B. Sessions III<sup>1</sup> (“Defendants”), do HEREBY STIPULATE AND AGREE as follows:

1. Defendants’ time to answer or otherwise respond to the amended complaint is extended and held in abeyance pending resolution of dispositive motions made pursuant to the briefing schedule set forth below.
2. Thereafter, having conferred, the parties are of the view that the issues raised in this litigation can be resolved by the Court on motion. Accordingly, they agree and propose the briefing schedule set forth below bifurcating the Fiscal Year (“FY”) 2017 and FY 2018 claims brought by the Plaintiff Municipalities.
  - a. With regard to the Plaintiff Municipalities’ FY 2017 claims:
    - i. On or before November 30, 2018, Defendants will file a certified

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<sup>1</sup> Rule 25(d) of the Federal Rules of Civil Procedure provides for automatic substitution of public officers, and Matthew G. Whitaker currently is serving as acting Attorney General.

administrative record pertaining to the Plaintiff Municipalities' FY 2017 claims under the Administrative Procedures Act, 5 U.S.C. § 706;

- ii. On or before December 21, 2018, the Plaintiff Municipalities shall file a Partial Motion for Summary Judgment pertaining to their FY 2017 claims;
- iii. On or before January 31, 2019, Defendants shall file their Opposition to the Plaintiff Municipalities' Partial Motion for Summary Judgment, and any (Partial) Motion to Dismiss, or, in the alternative, Partial Motion for Summary Judgment;
- iv. On or before March 1, 2018, the Plaintiff Municipalities shall file their Opposition to Defendants' motion(s), and a Reply, if any, in further support of their Partial Motion for Summary Judgment; and
- v. On or before April 1, 2019, Defendants shall file any Reply in support of their motions.

b. With regard to the Plaintiff Municipalities' FY 2018 claims:

- i. On or before May 31, 2019, Defendants shall file a certified administrative record pertaining to the Plaintiff Municipalities' FY 2018 claims under the Administrative Procedures Act, 5 U.S.C. § 706;
- ii. On or before July 1, 2019, the Plaintiff Municipalities shall file a Partial Motion for Summary Judgment pertaining to their FY 2018 claims;
- iii. On or before August 2, 2019, Defendants shall file their Opposition to the Plaintiff Municipalities' Partial Motion for Summary Judgment, and any (Partial) Motion to Dismiss, or, in the alternative, Partial Motion for Summary Judgment;

- iv. On or before September 6, 2019 the Plaintiff Municipalities shall file their Opposition to Defendants' motion(s), and a Reply, if any, in further support of their Partial Motion for Summary Judgment; and
- v. On or before October 4, 2019, Defendants shall file any Reply in support of their motions.

DATED: November 29, 2018

Respectfully submitted,

STEPHEN G. DAMBRUCH  
United States Attorney

/s/Jeffrey Dana  
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*Counsel for Plaintiffs*

**SO ORDERED:**

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November 30, 2018



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HON. JOHN J. McCONNELL, Jr.  
UNITED STATES DISTRICT JUDGE